



SHIRE
of
DANDARAGAN

MINUTES

of the

SPECIAL COUNCIL MEETING

held at the

COUNCIL CHAMBERS, JURIEN BAY

on

THURSDAY 13 SEPTEMBER 2012

COMMENCING AT 1.02PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

MINUTES FOR SPECIAL COUNCIL MEETING HELD THURSDAY 13 SEPTEMBER 2012

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The presiding member declared the meeting open at 1.02pm and welcomed those present.

1.2 DISCLAIMER READING

The disclaimer was read aloud as there was 1 member of the public present.

“No responsibility whatsoever is implied or accepted by the Shire of Dandaragan for any act, omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.”

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members	Councillor S Love	(President)
	Councillor L Short	(Deputy President)
	Councillor M Russell	
	Councillor L Holmes	
	Councillor K McGlew	
	Councillor W Gibson	
	Councillor T Bailey	
	Councillor M Sheppard	

Staff	Mr T Nottle	(Chief Executive Officer)
	Mr I Rennie	(Deputy Chief Executive Officer)
	Mr W George	(Manager Building Services)
	Mr S Clayton	(Manager Corporate Services)
	Mr R Casella	(Planning Officer)

Apologies

Approved Leave of Absence Councillor D Kent

Observers Janine Hatch

3 PUBLIC QUESTION TIME

Nil

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4 PURPOSE OF THE MEETING



The purpose of the meeting is to consider the following items:

- Tender 05 / 2012 – Disposal of Transportable Buildings;
- SuperTowns Growth Plan Amendments; and
- Application for Planning Approval – Summit Homes on behalf of Ardross Estates Pty Ltd – 15 Grouped Dwellings – Lot 1371 Moonlight Crescent, Jurien Bay.

5 ORDER OF BUSINESS

5.1 WORKS AND PLANT

5.1.1 TENDER 05 / 2012 – DISPOSAL OF TRANSPORTABLE BUILDINGS

Location:	Shire of Dandaragan
Applicant:	N/A
File Path:	Tenders / RFT 05-2012 / Received
Disclosure of Interest:	None
Date:	27 August 2012
Author:	Ray Pepper
Signature of Author:	
Senior Officer:	Tony Nottle, Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

Seeking to dispose of one (1) single person's quarters and one (1) transportable house in the Dandaragan townsite.

1. Single persons quarters, lot 15 Topham Street, Dandaragan WA 6507; and
2. Transportable house, lot 6 Dandaragan Road, Dandaragan WA 6507

BACKGROUND

Council has previously placed these dwellings up for tender in June 2010. (RFT 03/2010).

It at its meeting in June 2010 Council considered two tenders of \$2,800 ex GST and \$5,000 ex GST for the single persons quarters only. It was resolved:

*Moved Cr Bailey, seconded Short
That Council reject all Tenders as they failed to reach a satisfactory price and readvertise the Tender 03 / 2010.*

CARRIED 6 / 1

Notation: Council wished to recall Tenders for the sale of the single persons quarters.

A further Tender (05/2012) was advertised in Wednesday's edition

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of *The West Australian* on 1 August 2012, the Advocate in Thursday 2 August 2012 adding a second transportable dwelling on Lot 6 Dandaragan Road to the tender.

The tender closing date was 3.00pm 16 August 2012.

COMMENT

When tenders closed on Thursday 16 August Council had received one tender from the Beemurra Aboriginal Corporation (BAC).

The BAC offered three separate proposals outlined as follows:

Proposal 1

1. Single persons quarters Lot 15 Topham Street Dandaragan
2. Building on Lot 6 Dandaragan Road, Dandaragan
3. Number 3447 Dandaragan Road, Dandaragan

The BAC requested that the Shire of Dandaragan gift the dwellings mentioned above.

The BAC would undertake to remove and repair the buildings in accordance with council procedure and guidelines.

The BAC would clean and level all blocks the dwellings are located on.

The BAC would then (via a contractor) move the dwellings to their project site at 1384 Muthawandery Road and make them habitable in accordance with Shire of Dandaragan by-laws and standards.

This proposal is non-compliant with the tender as it includes a dwelling owned by Council that was not identified in the tender or by Council. The property at 3447 Dandaragan Road is also currently under offer.

Proposal 2

The BAC has offered to purchase for the sum of \$2,500.00 each number 3482 (Lot 6 Dandaragan Road) and number 3447 Dandaragan Road Dandaragan (Lot 8 Dandaragan Road).

The BAC would commence removal of the dwellings and construct 4 bedroom homes on each lot within 12 months of agreement. An undertaking to have these dwellings completed within 24 months of said agreement has been given, or land and buildings return to the ownership of the Shire of Dandaragan.

The BAC also stated they would not sell the properties for a period of 20 years, and stated they would not lease or rent the properties to any other individual or organisation bar BAC employees.

This proposal is non-compliant with the tender as it includes a

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dwelling owned by Council that was not identified in the tender or by Council. The property at 3447 Dandaragan Road is also currently under offer.

Proposal 3

The same as proposal 1 but limited to:

1. Lot 6 Dandaragan Road
2. Lot 15 Topham Street

This proposal is compliant with the tender. However the request is to donate the dwellings for \$0.

Considering the above non-conforming proposals, and the fact that the buildings should be disposed of for an acceptable amount it is recommended that Council reject the tender from the BAC.

CONSULTATION

- Chief Executive Officer
- Manager of Technical Services and Works

STATUTORY ENVIRONMENT

- Part 4 of the Local Government (Functions and General) Regulations 1996, section 3.57 of the Local Government Act 1995.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Alternative Tender from BAC (Doc Id: 8349)

(Marked 5.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION


Moved Cr Bailey, seconded Cr Short

That Council reject all tenders received for Tender 05 / 2012 on the basis that it has not received a suitable value for the buildings at Lot 6 Dandaragan Road, Dandaragan and Lot 15 Topham Road, Dandaragan.

CARRIED 8 / 0

5.2 ADMINISTRATION

5.2.1 SUPERTOWNS GROWTH PLAN AMENDMENTS

Location:	N/A
Applicant:	N/A
Folder Path:	Business Classification Scheme / Land Use and Planning / Planning / Strategic Plans
Interest:	Nil
Date:	9 September 2012
Author:	Tony Nottle, Chief Executive Officer
Signature of Author:	

PROPOSAL

For Council to consider amendments to the Growth Plan in light of feedback from the Department of Regional Development and Lands (RDL), and the endorsed changes of the SuperTowns Project Team.

BACKGROUND

The Jurien Bay Growth Plan is a document that was required to be produced under the State Government's Regional Centres Development Plan (SuperTowns) which outlines the vision, forward projections and growth drivers for the next 30 – 40 years.

At Council's ordinary meeting held 23 February 2012 it was resolved:

That Council resolve to:

- 1. adopt the Growth Plan and Business Cases for Jurien Bay, subject to revisions required to finalize the documents, as the basis of making requests for funding under the Regional Centres Development Plan (SuperTowns), in accordance with requirements set out in related guidelines; and*
- 2. communicate to the community what has happened since the Strategic Community Planning workshops and the projects subject of SuperTowns funding requests.*

It was always understood that the initial Growth Plan was a "first cut", with the need to meet minimum requirements, with further additions to be done after the due date of 6 March 2012.

Since the Growth Plan was submitted to RDL, further work has been undertaken by staff and consultants to address various areas, as well as taking into consideration of recent developments and feedback from RDL.

COMMENT

There are a large number of amendments to the existing Growth Plan which are attached (attachment 1). However, a summary of the relevant changes are as follows:

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Theme	Delivery
Jurien Bay	
Central Coast Sub-Regional context and economic analysis	<p>Based on preliminary economic planning with RPS Consulting. Indicators include housing affordability, value-add, demographic profile, emerging industry opportunities and state impact.</p> <p>A detailed Central Coast Sub-Regional Economic Strategy is being prepared and will be available by end of 2012.</p>
Food processing / agricultural precinct	Inclusion of preliminary information for the comparative advantages, planning and infrastructure requirements, economic multipliers, and timing/staging of a potential food processing/agricultural precinct on the Central Coast.
Infrastructure	<p>Greater detail provided about trigger thresholds for required infrastructure upgrades in Jurien Bay from the Water Corporation.</p> <p>Additional information included based on recently completed planning reports and funding announcements including:</p> <ul style="list-style-type: none"> • Jurien Bay Infill Sewerage (Cardno) • Jurien Bay Boat Harbour Southern Precinct (Department of Transport) • RADS funding provided to future airport planning in Jurien Bay • Telecommunications (roll-out of NBN fibre, construction of new mobile phone towers, CLGF digital TV funding submission)
Services	<ul style="list-style-type: none"> • Expansion on childcare service requirements and capacity • Description of additional activity undertaken to progress the Aged Care and Health precinct project (priority 1 for Shire of Dandaragan and its community) • Greater recognition of need to plan clearly for social service delivery with changing demographics and socio-economic profile.
Statistics	Relevant statistical tables and commentary updated with 2011 ABS Census data.
Feasible implementation plan	Additional information provided for projects listed in the Growth Plan (e.g. boat harbour/tourism development, health and aged care precinct, expansion of childcare facilities, increased infill sewerage, town centre redesign/underground power).

These are further articulated in Attachment 2.

The updated Growth Plans are required to go through the same process as initial documents ie:

Approval from:

- SuperTowns Project Team;

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- Council;
- WA Planning Commission;
- Wheatbelt Development Commission; and
- Submitted to RDL to be presented to the Infrastructure Coordination Committee (ICC).

A full list of changes has been provided in attachment 3 (Revisions 2012)

The SuperTowns Project Team will be meeting on Wednesday 12 September 2012 to consider the revisions to the plan.

The Chief Executive Officer distributed to Council suggested alterations to the SuperTowns Growth Plan. Council considered the suggested alterations and agreed with them.

CONSULTATION

- Wheatbelt Development Commission
- Department for Regional Development & Lands
- RPS Economics
- Department of Transport

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

Shire Strategic Community Plan (July 2012)

OBJECTIVE 2: Ensure timely provision of essential and strategic Infrastructure to ensure investment and growth for the Shire is maximised

CODE	STRATEGIES	LINKS	TIME FRAME	SCOPE	PARTNERS
G1-O2-A1	Develop Civic Precinct concept in Jurien Bay	Town Centre Strategy Plan SuperTowns Growth Plan	Short - medium	Jurien Bay	CRC DEC Other agencies
G1-O2-A6	Lobby for design and installation in-fill sewerage Jurien Bay and surrounds	SuperTowns Growth Plan Coral Coast Tourism Dev Priorities	Ongoing	Jurien Bay	Water Corp

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ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Growth Plan feedback from RDL (Doc Id: 7194)
 - SuperTown Project Team meeting information and summary (Doc Id: 8395)
 - Table of revisions to SuperTowns Growth Plan (Doc Id: 8396)
- (Marked 5.2.1)**

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council resolve to adopt the revisions to the Jurien Bay SuperTowns Growth Plan as attached acknowledging compliance with the minimum requirements as stipulated by the Department for Regional Development and Lands.

COUNCIL DECISION

Moved Cr Russell, seconded Cr Holmes

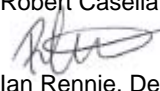
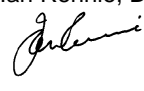
That Council resolve to adopt the revisions to the Jurien Bay SuperTowns Growth Plan as amended acknowledging compliance with the minimum requirements as stipulated by the Department for Regional Development and Lands.

CARRIED 8 / 0

Council did not adopt the Officer Recommendation due to alterations suggested by the Chief Executive Officer as distributed to Council on Thursday 13 September 2012.

5.3 TOWN PLANNING

5.3.1 APPLICATION FOR PLANNING APPROVAL – SUMMIT HOMES ON BEHALF OF ARDROSS ESTATES PTY LTD – 15 GROUPED DWELLINGS – LOT 1371 MOONLIGHT CRESCENT, JURIEN BAY

Location:	Lot 1371 Moonlight Crescent, Jurien Bay
Applicant:	Summit Homes Pty Ltd on behalf of Ardross Estates Pty Ltd
File Ref:	Development Services App / Development Application / 2012 / 42
Disclosure of Interest:	None
Date:	27 August 2012
Author:	Robert Casella, Planning Officer
Signature of Author:	
Senior Officer:	Ian Rennie, Deputy Chief Executive Officer
Signature of Senior Officer:	

PROPOSAL

The proponent seeks planning approval for the establishment of

15 Grouped Dwellings at Lot 1371 Moonlight Crescent, Jurien Bay on behalf of Ardross Estates Pty Ltd.

BACKGROUND

The subject site is located within Beachridge Estate, at the corner of Middleton Boulevard and Moonlight Crescent and has a site area of 4,326m². The north-eastern boundary of the subject land adjoins Bashford Street Special Development Zone 1 (SDev1) in the Local Planning Scheme No.7 (LPS7). The proposed development will deliver a yield of 15 grouped dwellings.

The proposal will result in the establishment of a desirable, high-amenity environment for future residents, including substantial communal open space, vehicle access and visitor parking provisions, which exceed the applicable standards of the Residential Design Codes (the Codes).

Planning controls under the Beachridge Estate Residential Design Guidelines (BDG) are not applicable to this site, as identified in the BDG.

The proposal generally complies with the provision of the Local Planning Scheme and the acceptable development standards of the Codes. Minor variations have been identified and addressed against the Codes and are as follows:

Primary Street Setback Houses 1 – 5:

Houses 1 to 5 have primary frontage to Moonlight Crescent. The average setback falls below the minimum average 4.0m required under the Codes, however that is not inconsistent with the overall planning approach taken with the surrounding detached dwellings that have their setbacks reduced from 6m to 3m through the BDG.

Communal Street (Secondary) Setback

The Codes require that a minimum setback of 1.0m is required from a secondary street. Both units 4 and 5 are proposed to feature garages having a setback of 0.5m from the communal street, functioning as a secondary street in this instance.

Communal Street (Primary) Setback

Clause 6.2.1 A1.1(ii) of the Codes requires minimum setbacks of 2.5m from communal streets, where dwellings front those streets. Units 9, 11,12,13 and 14 each feature a setback under 2.5m from communal street.

Boundary Walls on Two Boundaries

Units 10 and 15 feature garage boundary walls on two boundaries.

Access to Outdoor Living Area / Living Area Dimensions

Units 11-14 access to outdoor living areas are not taken directly from habitable rooms and do not feature a minimum dimension of 4m.

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Unit 7 Setbacks

The southern wall component comprising the living / bathrooms features a setback of 1.494m, falling below the minimum 1.5m required under the Codes.

Unit 8 Setbacks

The north western wall comprising the kitchen, features a setback under 1.5m, being 1.043m. The south eastern wall comprising the ensuite has a setback of 1.169m.

Unit 10 Setbacks

The bedroom 1 wall features a setback of 1.25m to the north, being 1.5m less the required setback.

Unit 15 Setback

North Eastern wall has three instances with walls having major openings being setback below 1.5m from boundary.

The variations proposed are due to the irregular configuration of the grouped dwelling site. The proposed dwellings have been designed in a way so that overshadowing, overlooking, and perceptions of building bulk affecting major openings to habitable rooms and outdoor living areas are avoided.

COMMENT

The subject land is located within the Beachridge Estates but is excluded from the Beachridge Estates Residential Design Guidelines, requiring the dwellings to conform with the Residential Design Codes. Below, are the proposed alterations addressed in accordance with relevant Clauses of the Codes.

Primary Street Setback Houses 1 - 5

The performance criteria under Clause 6.2.1 of the Codes are addressed as follows:

- Front setbacks may be reduced by up to 50% (2m in this instance) with an area of compensating space being provided. The proposed dwellings 1 – 5 do not fall below the minimum 2m required, with 3m being provided to garages.
- The compensating open space area at the side of each dwelling is only ~2m², whilst 6m² is required based on Figure 1a of the Codes. The shortfall is minor, being only ~4m² of building area. This minor intrusion will result in no substantial impact on the streetscape.
- The setback variation will result in no significant adverse impact on visual privacy affecting future residents, with open space provisions over the entire development exceeding the requirements of the codes. The setback improves open space provision, with ample access around each dwelling along with outdoor living areas appropriately meeting the needs of future residents.

Communal Street (Secondary) Setback

The performance criteria under Clause 6.2.1 of the Codes are

addressed as follows:

- The Codes indicate that a 4m wide access-way may suffice for a grouped dwelling development; however the proposed design features a large open central vehicle and pedestrian access area. The setback variation of 0.5m affecting units 4 and 5 is well ameliorated by the one way vehicular access arrangement and central communal POS area. On this basis, the variation will result in no substantial adverse amenity impact, unsafe traffic manoeuvring, or impacts on views from adjoining dwellings.

Communal Street (Primary) Setback

The performance criteria under Clause 6.3.1 of the Codes are addressed as follows:

- A 4m wide access-way may suffice for a grouped dwelling development; however the proposed design features a large open central vehicle and pedestrian access area. The setback variation affecting units 9 and 11-14 is well ameliorated by the one way vehicular access arrangement and central communal POS area. On this basis, the variation will result in no substantial adverse amenity impact, unsafe traffic manoeuvring, or amenity impacts on views from adjoining dwellings.
- Dwellings at either side of the communal access-way are separated by a distance of ~14.0 – 25.0m and on this basis, the 0.5m setback variations proposed will result in no substantial impact on the desired level of streetscape amenity within the development.
- The setbacks proposed facilitate additional open space and outdoor living areas associated with the grouped dwellings.

Boundary Walls on Two Boundaries

The performance criteria under Clause 6.3.2 of the Codes are addressed as follows:

- The boundary walls associated with units 10 and 15 are each of a length and height being well below the maximum specified under the acceptable development criteria in Clauses 6.3.2 of the Codes. The walls are only 2.7m high and the maximum height applicable for sites zoned R40 is 3.5m and the maximum average 3.0m.
- Although units 10 and 15 feature boundary walls on two boundaries, each separate boundary wall will adjoin different unit sites. Each boundary wall is positioned so as to avoid overshadowing or building bulk impacts on major openings or outdoor living spaces.

Access to Outdoor Living Area / Living Area Dimensions

The performance criteria under Clause 6.4.2 of the Codes are addressed as follows:

- Outdoor living areas are located to facilitate a high level of solar access and have a desirable northern aspect.
- The minimum dimensions associated with the outdoor living areas in units 11-14 is 3.96m. A variation of 0.04m to the

minimum dimensions, which is very minor and does not substantially impact on the desired nature of outdoor living area provisions. Further, the area associated with each outdoor living area exceeds the minimum required under the codes.

- The proposed outdoor living area is not directly accessible from the rear bedrooms. However, bedrooms are only separated by an additional door nearby at the end of the internal hallway. This is not considered to be a significant loss of residential amenity; particularly given the proposal has been designed such that all dwellings have an outdoor living area with sound solar access, northern aspect and areas exceeding the minimum required, that satisfy performance criteria requirements.

Unit 7 Setbacks

The performance criteria under Clause 6.3.1 of the Codes are addressed as follows:

- Majority of the southern living/bathroom wall is setback over 1.5m and up to 5.5m including major openings on bedroom 3 and the living room. On this basis, no impacts on visual privacy will result.
- The variation in minor and affects a portion of the wall component measuring under 0.3m. On this basis, the variation will result in no significant adverse impact as a result of this minor additional building bulk. The majority of the wall will also be screened by the perimeter masonry and picket infill fencing.

Unit 8 Setbacks

The boundary setbacks are addressed with reference to the performance criteria under Clause 6.3.1 of the Codes, as follows:

- The above setback variations extend for a distance of 0.3m or less in each instance and result predominantly from the irregular shape of the lot. The setback variation to the east will adjoin a boundary wall and to the north, the variation affects the boundary adjoining Middleton Boulevard. No adverse impact on privacy or impacts arising from the minor additional building bulk will result.
- The variations will result in no significant overshadowing impacts exceeding the requirements of the Codes, or affecting outdoor living spaces / major openings.

Unit 10 Setbacks

The performance criteria under Clause 6.3.1 of the Codes are addressed as follows:

- Variation only extends for a small part of the northern wall being under 0.5m. Major openings to habitable rooms are setback in excess of 1.5m from the northern boundary.
- The variation results predominantly due to irregular shape of the lot. However, the northern boundary adjoins the Bashford Street road reserve and on this basis, the variation will result in no impact on visual privacy or undesirable perception of additional building bulk.

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Unit 15 Setback

Clause 6.3.1 of the Codes is addressed as follows:

- Variations affect approximately 0.8m of each wall, however major openings maintain the desired setback of 1.5m or greater.
- The north eastern wall adjoins the Bashford Street Road Reserve and the minor variation will result in no impact on adjoining residents.
- Unit 15's north eastern wall has been staggered in order to provide a desirable level of articulation, adding visual interest to this wall, avoiding a more extensive variation being sought.

The variations proposed are minor in nature with no foreseeable privacy issues on neighbouring residential properties.

The subject land has the ability to deliver a maximum of 19 dwellings as the land is allocated for a grouped housing site under the SDev1 of the LPS7 on a site 4,326m² in area. This would allow for a R40 zoning with an average lot size of 220m². The proposed 15 grouped dwellings allows for an increase in applicable development requirements of a grouped housing site, exceeding the requirements necessary in the standards required in the Codes at the expense of various minute setbacks on a number of proposed lots that fit accordingly within the overall objective of the Beachridge Estates development requirements.

CONSULTATION

There are no requirements for consultation for this item.

STATUTORY ENVIRONMENT

- Residential Design Codes
- Local Planning Scheme No 7

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The applicant has paid a fee for planning approval to the value of \$8,148.40

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Unit 1 – 15 Floor Plans (Doc Id: 7696)
(Marked 5.3.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Bailey, seconded Cr McGlew

That Council grant planning approval for the construction of 15 grouped dwellings on Lot 1373 Moonlight Crescent, Jurien Bay with minor variations to boundary setbacks in accordance with the Residential Design Codes, subject to the following;

Conditions:

- 1. all development shall be in accordance with the attached approved plans submitted with the application and subject to any modifications required as a consequence of any conditions of this approval; and**
- 2. the endorsed approved plans shall not be altered without the prior written approval of the local government.**

Advice

- The applicant is advised that this is a planning approval and NOT a building permit.**

CARRIED 8 / 0

6 CLOSURE OF MEETING

The presiding member declared the meeting closed at 1.35pm.

These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date